

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT COURT OF ARKANSAS**

**WINDELL JONES**

**PLAINTIFF**

**VS.**

**NO. 2-05-CV0000022 GH**

**UNION PACIFIC RAILROAD COMPANY,  
and BROTHERHOOD OF MAINTENANCE  
OF WAY EMPLOYEES MISSOURI  
PACIFIC SYSTEMS FEDERATED**

**DEFENDANTS**

**CONSENT ORDER**

On this 1<sup>st</sup> day of February 2006, comes on for hearing the Plaintiff's Motion to Dismiss the Brotherhood of Maintenance of Way Employees Missouri Pacific System Federation by reason of agreement of the parties. The Plaintiff appearing by and through his attorney, Denise Reid Hoggard, the Defendant Union Pacific Railroad Company, appearing by and through its attorney, Friday, Eldredge and Clark, and the Defendant Brotherhood of Maintenance Way appearing by and through its attorney, Richard Edelman, the court being well advised as to all matters of law and fact hereby FINDS, ORDERS AND ADJUDGES:

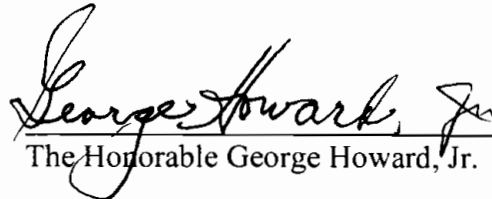
1. Defendant, the Brotherhood of Maintenance of Way Employees Missouri Pacific System Federation, is a party to be joined, if feasible, pursuant to Fed. R. Civ. P. 19, as the recognized bargaining unit for Union Pacific Railroad Company maintenance of way employees. The Plaintiff's Complaint seeks no separate relief against this defendant but merely joined the party in order to seek relief of reinstatement for Plaintiff to his previous employment.

2. The Brotherhood of Maintenance of Way Employees Missouri Pacific System Federation agrees that it will be bound by any reinstatement directive ultimately ordered by this Court without necessity of its appearance or participation in trial of this matter.

3. Plaintiff and Union Pacific Railroad Company waive any claim that the Brotherhood of Maintenance of Way Employees Missouri Pacific System Federation is a necessary party for

purposes of providing complete relief, should this Court so award. The Plaintiff seeks no financial remedy against the Brotherhood of Maintenance of Way Employees Missouri Pacific System Federation.

4. By agreement of the parties and order of this Court, the Brotherhood of Maintenance of Way Employees Missouri Pacific System Federation need not participate in trial of this matter.

  
The Honorable George Howard, Jr.

Dated February 1, 2006

APPROVED:



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